

QUAC0004

09/531,951

REMARKS

1. Applicant thanks the Examiner for the Examiner's comments, which have greatly assisted Applicant in responding.

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Applicant has amended Claims 22 and 32 for inadvertent typographical errors. It should be noted that Applicant has elected to amend said Claims solely for the purpose of expediting the patent application process in a manner consistent with the PTO's Patent Business Goals, 65 Fed. Reg. 54603 (9/8/00). In making this amendment, Applicant has not and does not in any way narrow the scope of protection to which Applicant considers the invention herein to be entitled and does not concede, in any way, that the subject matter of such claim was in fact taught or disclosed by the cited prior art. Rather, Applicant reserves Applicant's right to pursue such protection at a later point in time and merely seeks to pursue protection for the subject matter presented in this submission.

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2. 35 U.S.C. §112. The Examiner stated that Claims 1, 16, 22, 32, 42, and 46 contained insufficient antecedent basis for the following limitation: "determining... using said determined context category weight".

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Applicant has deleted the objectionable section of the claims, hence, Applicant is of the opinion that such 112 rejection is overcome. Therefore, Applicant respectfully requests that the Examiner withdraw the rejection of Claims 1, 16, 22, 32, 42, and 46 under 35 U.S.C. §112.

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3. 35 U.S.C. §103(a). The Examiner has rejected Claims 1-51 under 35 U.S.C. §103(a) as being unpatentable over Gerace (U.S. Pat. No. 5,848,396) in view of Lumelsky (U.S. Pat. No. 6,246,672) and in further view of Lowe et al (U.S. Pat. No. 6,298,218). The Examiner stated that Applicant has not specified what, specifically, is involved in the ratio determination, *i.e.* which factors.

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Applicant has amended the independent Claims to further clarify a sales ratio and a category context ratio. Applicant is of the opinion that in view of the further clarification, the independent claims, and hence the dependent claims, overcome the rejections based on the prior art of reference, and therefore, are in condition for allowance.

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Accordingly, Applicant respectfully requests that the Examiner withdraw the rejection under 35 U.S.C. §103(a).

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CONCLUSION

5 Based on the foregoing, Applicant considers the present invention to be distinguished from the art of record. Accordingly, Applicant earnestly solicits the Examiner's withdrawal of the rejections raised in the above referenced Advisory Action, such that a Notice of Allowance is forwarded to Applicant, and the present application is therefore allowed to issue as a United States patent.

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Respectfully Submitted,

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